

Scientific American

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Foreign Forgeries about American Inventions.

WHO INVENTED PARKER'S WATER WHEEL?—I observe in the last number of the Civil Engineer and Architect's Journal, an article copied from the American Franklin Journal, giving an account of what is there called "Parker's Water Wheel." The improvement claimed in this article is the invention of Koechlin & Co., of Mulhouse, and is patented by them. A description, accompanied with drawings, and several valuable tables, containing the results of a series of experiments made upon two of their wheels, to determine their effective working power, was read at a meeting in August, 1843, of the Societe Industrielle. This description, and tables, together with the report of the committee appointed to investigate the merits and conduct the experiments, is published in the Transactions of the Society, vol. xviii.

One would suppose that Brother Jonathan would rest satisfied with getting the benefit of all the improvements that take place in machinery and manufactures on this side of the Atlantic, without laying claim to be the inventor of them also. J. G.

Glasgow, Feb. 19, 1850.

[The above is from that excellent work, the "Glasgow Practical Mechanic's Magazine." It is a very unfortunate thing, that our friends across the water have not the good sense to inform themselves better upon the subject of American Inventions. They have such a dogged conceit in themselves, that we must place them in the position of Nathaniel, saying (whenever an American invention is named), "Can any good thing come out of Nazereth?" Now the man who penned the above J. G.—(for J. Green, we suppose,) is exceedingly ignorant of the subject. Instead of Brother Jonathan claiming what does not belong to him in this case, he endeavors to rob Jonathan of that which justly belongs to him, and such kind of flings the Glasgow Practical Mechanic indulges in too often. The Parkers secured a patent for their water wheel in 1829, the invention then being one year old. The invention was afterwards carried to France, and Messrs. Koechlin & Co. appeared before the Societe Industrielle with borrowed plumes from Yankeeland, as many Europeans now do, being too weakly proud to acknowledge that the Young Republic can teach them any thing. But what nation has surpassed America in Invention? Not one. The Cotton Gin, Cut Nail Machinery, Machines for Making Pins, Machines for Making Cards, the first successful Steamboat, the Machine for Planing Wood, the best Machine for Turning Irregular Forms on Wood, and a great number of other very useful improvements on machinery that we might name, but the inventions mentioned are distinct and prominent ones, and of undisputed American origin, and it will not do to claim Z. & A. Parker's Water Wheels as a French invention of 1843, fourteen years after it was patented in America.

To conclude in the words of the above letter, one would suppose that Brothers Parlez Vous and Sandy would rest satisfied with getting the benefit of this American Invention, without claiming its paternity.

WHO COMBINED PRESSURE ROLLERS ON PLANING MACHINES, AND FIRST EMPLOYED CUTTER WHEELS FOR TONGUEING AND GROOVING IN PLACE OF SAWS?—We are not done with the Glasgow Practical Mechanic yet. At one time it charged the Scientific American with bringing forward British inventions with Yankee names tacked to them. It insinuated that we would find honesty the best policy at last, but we always consider that honesty is the best policy first, and bide our time to prove it so at last, and that time has now come round. In the same number out of which the above is taken, there is a description of a new Planing Machine, for planing flooring boards, invented by a Mr. McDouall, of Johnstone, a place about ten miles from Glasgow. In describing the machine, he goes into a his-

tory of Planing Machines (British), being apparently ignorant of any such kind of machine being used in this wooden country. As this history is valuable to our people, in bearing directly upon the Woodworth Patent, we will briefly state its leading features. It first mentions the improvements made by Gen. Bentham and Mr. Bramah, and then states that "it was not until 1827 that machines for working flooring boards, and other boards, were brought into practical use by an improved machine, invented and patented by Mr. Malcolm Muir, of Glasgow, which served as a model for all succeeding makers." This machine is described as having a rotary adze for planing, and tongueing and grooving with saws. This is correct, for we have Muir's patent before us. Now this was a defective machine. It wanted feeding pressure rollers, and cutter wheels in place of saws for tongueing and grooving, to make it perfect. It says, Mr. McDouall added these improvements. Now, as Muir's Patent has been somewhat pitted against Woodworth's—this history states that Mr. Muir's machine fed in the boards by an endless chain with dogs on it, and Mr. McDouall, who, in 1834, fitted up one of these machines in Manchester, England, found that such a mode of feeding was totally unfit for their boards, and he added pressure feeding rollers, 12 inches in length and 10 in diameter, which effectually answered the purpose. "The next step in improvement," says the Journal, "was employing rotary cutters in place of saws, for tongueing and grooving—for which Mr. McDouall took out a patent for Ireland in 1836." Now it happens that Wm. Woodworth, of America, took out a patent for this very improvement in 1828, just six years before Mr. McDouall made his first improvement and eight years before his second. So much for Brother Sandy both using and claiming Brother Jonathan's inventions.

We have now stripped the breeks of the Highlandman and he must be content with his kilts. Two important American inventions have been claimed by European Journals, and aspersions thrown upon the American character. Now upon their own authority of dates, let us refer to our authority of dates. In the Franklin Journal, page 199, Vol. 7, is Woodworth's patent claim for 1828, and on page 405, Vol. 8, same Journal, is the claim of E. Emmons, for the pressure feeding rollers, Sept. 10th, 1829, and in the same work, Vol. 9, page 33, is Parker's claim for his Water Wheel Patent of Oct. 19th, 1829. These American inventions have created revolutions in their several departments, and no wonder others would like to rob us of the honor, but it is a good thing that we have a Patent Office; and while we have eyes to see and ears to hear, the Scientific American will guard the honor of our inventors, presuming nothing upon hearsay or prejudice, but resting our cause on truth and candor. It is true that we are greatly indebted to Europe, so is Europe to America. It is the fault of Europeans that they do not know us so well as we know them. Americans are not known in Europe, but Europeans are our door neighbors here. They think we are living like Indians, while New York is larger than any city in Britain except London.

Planing Machines—Important Decision of the Supreme Court of the U. S.

DECEMBER TERM, 1849.—No. 209.—Jacob P. Wilson, Complainant vs. Daniel Barnum—On a certificate of division in opinion, from the Circuit Court, U. S., for the Eastern District of Pennsylvania.

Mr. Chief Justice Taney delivered the opinion of the Court. This case comes before the Court upon a certificate of division, and has been submitted on printed arguments.

The plaintiff, who claims as assignee of what is generally called the Woodworth Patent, filed a bill in equity praying an injunction against the defendant, to restrain him from using a certain machine, in which, as the complainant charged, boards were planed, tongued and grooved in the same manner as in the Woodworth machine; the machine of the defendant operating in the same way in every respect as the one for which the complainant held the patent.

The defendant, in his answer, denied that his machine was substantially alike, and upon the plan of the Woodworth machine. Other defences were also taken in the answer. But it is not necessary to notice them, as they do not concern the question certified.

A great mass of testimony was taken on both sides in the Circuit Court, and models and drawings produced of the two machines, all of which have been sent up for the examination and consideration of this Court, with the certificate of division.

On the final hearing of the case, the Judges of the Circuit Court differed in opinion on the following question:—

"Whether, according to the true construction of the Woodworth Patent, as amended, the machines made or used by the defendant at the time of filing the bill, or either of them simply, do or do not infringe the said amended letters patent?"

The question thus certified is one of fact, and has been discussed as such in the arguments offered on both sides. It is a question as to the substantial identity of the two machines, and its decision must depend upon the testimony of witnesses; the examination of the models and drawings, or of the machines themselves; and the application of mechanical principles and combinations which the Court could learn only from the testimony of persons skilled in the science of mechanics.

The jurisdiction of this Court to hear and determine a question certified from the Circuit Court, is derived altogether from the Act of 1802, ch. 31, sec. 6, 2 stat. 159—and that act evidently gives the jurisdiction only in cases where the Judges of the Circuit Court differ in opinion on a point of law. The language of the whole provision upon this subject so clearly requires this construction, that it is unnecessary to comment on it, and it would be utterly inconsistent with the well known and established proceedings of Courts of Equity as well as Courts of Common Law, to take out of a case, during its progress, a single question of fact, and send it here with the evidence upon that point only, for the final decision of this Court. In the case before us a great number of facts must be ascertained and determined from the evidence, before a final opinion could be formed upon the question certified.

Besides, this Act of Congress has been in force for nearly half a century, and has been repeatedly acted on in this Court, and it has uniformly received the construction we now give to it. In the multitude of questions which have been certified, this Court has never taken jurisdiction of a question of fact. And in a question of law it requires the precise point to be stated, otherwise the case is remanded without an answer.

The question now certified being one of fact, we have no jurisdiction; and the case must therefore be remanded to the Circuit Court, to be there proceeded in as law and justice may require.

Solicitors for the Complainant—Governor Seward, Mr. Latrobe, S. V. Smith and H. G. T. Campbell.

For the Respondent—Wm. L. Hirst, Wm. W. Hubbell, and E. W. Stoughton.

In this case neither the Jury nor the Judges could agree, and the case was sent up to the Supreme Court on the motion of the Complainant's Counsel, and at the time, we stated that the question belonged properly to a jury. The decision of the Supreme Court, of which the foregoing is a verbatim copy, is important as a precedent to that point. There will have to be another Jury trial; in the meantime the injunction has been dissolved on terms.

Scientific Knowledge.

Scientific knowledge has often been neglected from an idea that it can only be attained by individuals who previously possess considerable information. There cannot possibly exist a greater mistake; for nature is so simple in all her operations that they can be rendered as intelligible to the mind of the humble mechanic or unlettered peasant, as to that of the haughty peer or the most learned philosopher. It is certainly true, that in former times, partly from ignorance or the defect of the English language, and partly from an ignoble wish

to fetter the progress of the human mind, the most simple truths were studiously obscured; but the curious signs and figures—the harsh and disjointed phraseology—the crude and complicated technical terms which were then in general use, have now been done away with, and the pathway to science is at the present day open and easy of access to all. In this age of intellectual excitement, many means have been contrived to extend the blessings of education; and schools of art have been instituted, and popular lectures judiciously delivered, with a view of communicating, in the most easy and familiar manner, those principles of science which explain the various phenomena of nature, and the different processes of art by which we can supply the necessities and the luxuries of life. Science admits of two general divisions; the first comprehending an investigation into the nature and operation of our own minds; the second, into the various properties and conditions of matter, or the objects which we perceive in the external world. It is by a strict examination into these that we become acquainted with the laws of nature, without some acquaintance with them we must be continually passing over many objects and events unnoticed, that would otherwise excite the greatest possible interest and admiration. Nor is this all; for when any event does occur, of so uncommon and striking a kind as to attract our attention, and so to awaken our ignorance, if we are unable to explain it on fixed principles, we must fall back upon the mere suggestions of fancy, which, as all history has proved, lead to the most absurd superstitions. Thunder and lightning, comets, meteors, northern lights, rainbows, and indeed every phenomenon of nature has in its turn excited those superstitious feelings which appear natural to man while in a state of ignorance.

In ancient times thunder and lightning were regarded as occurrences beyond the common course of nature. Under the Mosical dispensation, the Jews were accustomed to open the doors and windows of their dwellings during a thunder storm, in the expectation of the promised Messiah making his appearance amidst this war of the elements. The Roman Catholics, in many districts of Germany, toll the bells of the churches during the continuance of a thunder storm; and in Athens, when a person was struck dead by lightning, the spot on which the accident occurred was enclosed, and an altar raised for the people, offering up sacrifices to their gods. The superstitions of the ignorant, which can bend to such customs, have from the rapid advancement in our own days of the knowledge of science, not only been dispelled, but we have contrived, by a very simple expedient, to rob the cloud of its lightning. Comets have, from a very early period, been regarded as predicting the most dismal calamities. The Romans attached undue importance to the comet which appeared a short time previous to the Augustan war, and to that which attended the battle of Pharsalia; neither has Josephus, the celebrated Jewish historian, been sparing of them at the destruction of Jerusalem. We are happy that such is not the condition of the working men of the nineteenth century. The schoolmaster is abroad—and a cheap press has wrought wonderful changes.

The London Patent Journal and Inventors Magazine.

This is a weekly publication by Messrs. Barlow & Payne, 89 Chancery Lane, London. It is the best Journal published in England for a general view of all the British Patents issued. The Editors are candid in all their remarks respecting American Inventions, and its tone is decidedly of a very superior cast. In addition to an abstract of the Patents, it contains many lectures of scientific men upon useful subjects and the proceedings of the Scientific Associations. It also contains a great mass of the most useful and interesting matter for mechanics and artisans—sterling stuff. We recommend this journal to all American mechanics, and those who are residing among us who have crossed the Big Salt Lick. Its price is only \$7 per annum. It is published every week, and commenced its 9th volume on the first of last month. We will forward subscriptions.